

Notice of Allowability

Application No.

09/940,663

Applicant(s)

SATO ET AL.

Examiner

Art Unit

Mary J. Steelman

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/28/2006, 7/20/2006.
2. ☒ The allowed claim(s) is/are 13-21 (to be renumbered in order).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/26/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This Office Action is in response to Amendments and Remarks received 4/28/2006 and Amendments and Remarks received 7/20/2006. Per Applicant's request, 4/28/2006, claims 13, 16, and 19 have been amended. Per Applicant's request, 7/20/2006, claims 13, 16, and 19 were further amended.

Allowable Subject Matter

2. Claims 13-21 (to be renumbered in order) are allowed.
3. The following is an examiner's statement of reasons for allowance:

As Applicant has noted on page 11, 2nd paragraph, of Remarks dated 4/28/2006, Hohle (USPN 6,199,762 B1) fails to disclose a message ID (such as described in the Specification, page 11, line 16 through page 12, line 25) used for uniquely discriminating the electronic message between the card issuer and the service provider. Also, as noted on page 11, 3rd paragraph, Hohle fails to disclose and suggest that attribute data is outputted in a format identifiable by the card issuer only from the IC card.

An update search produced a related patent, USPN 6,371,832 B1 to Everett et al. Everett disclosed a Certification Authority (CA) which issues 'application load certificates' (col. 9, line 63). Col. 13, line 26, "The certification authority 111, which maintains encryption/decryption keys for the entire system, transmits 117 security data (i.e. global public key) to the manufacturer over a data conduit which is placed on the card...along with other data, such as the card enablement key and card identifier." Col. 14, line 11, "CA 157 facilitates loading and deleting of

Art Unit: 2191

applications...by issuing an application certificate.” Everett fails to disclose a message ID as defined in the specification and storing data using the message ID as a key.

Hohle, Everett, and other cited prior arts taken alone or in combination, fail to teach or suggest all limitations of independent claim 13 (and similarly worded in independent claims 16 and 19), when taken in context of the claims as a whole, including:

“each of the electronic messages, which is exchanged between the smart card issuance system and the smart card service providing system, is uniquely identified using a message ID, data of the smart card issuance system and the smart card service providing system is stored using the message ID as a key...card attribute data from the smart card, which can be identified only by the card issuer”

Moreover, evidence for modifying the prior art teachings by one of ordinary skill level in the art was not uncovered so as to result in the invention as recited.

Thus, all dependent claims, claims 14, 15, 17, 18, 20, and 21 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached at (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman



07/31/2006